

106TH CONGRESS  
2D SESSION

# H. R. 5631

To establish a commission to study and make recommendations with respect  
to the Federal electoral process.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2000

Mr. DEFazio (for himself and Mr. LEACH) introduced the following bill;  
which was referred to the Committee on House Administration

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## A BILL

To establish a commission to study and make recommenda-  
tions with respect to the Federal electoral process.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Federal Elections Re-  
5       view Commission Act”.

6       **SEC. 2. ESTABLISHMENT OF COMMISSION; MEMBERSHIP.**

7       (a) ESTABLISHMENT.—There is established a com-  
8       mission to be known as the Federal Elections Review  
9       Commission (hereafter in this Act referred to as the  
10      “Commission”).

1 (b) PURPOSE.—The purpose of the Commission shall  
2 be to study the nature and consequences of the Federal  
3 electoral process and make recommendations to ensure the  
4 integrity of, and public confidence in, Federal elections.

5 (c) MEMBERSHIP.—The Commission shall be com-  
6 posed of 12 members, who shall be appointed as follows:

7 (1) Three members shall be appointed by the  
8 President pro tempore of the Senate based on rec-  
9 ommendations by the majority leader of the Senate.

10 (2) Three members shall be appointed by the  
11 President pro tempore of the Senate based on rec-  
12 ommendations of the minority leader of the Senate.

13 (3) Three members shall be appointed by the  
14 Speaker of the House of Representatives.

15 (4) Three members shall be appointed by the  
16 minority leader of the House of Representatives.

17 (d) QUALIFICATIONS OF MEMBERS.—Members shall  
18 be appointed to the Commission from among individuals  
19 who—

20 (1) have expertise in Federal election laws, the  
21 United States Constitution, and the history of the  
22 United States, or other pertinent qualifications or  
23 experience; and

24 (2) are not officers or employees of the United  
25 States.

1 (e) OTHER CONSIDERATIONS.—In appointing mem-  
2 bers of the Commission, every effort shall be made to en-  
3 sure that the members—

4 (1) represent a broad cross section of regional  
5 and political perspectives in the United States; and

6 (2) provide fresh insights to analyzing the Fed-  
7 eral electoral process in order to maintain the integ-  
8 rity of, and public confidence in, such process.

9 (f) PERIOD OF APPOINTMENT; VACANCIES.—(1)  
10 Members of the Commission shall be appointed not later  
11 than 60 days after the date of enactment of this Act. Ap-  
12 pointments shall be for the life of the Commission.

13 (2) Any vacancy in the Commission shall not affect  
14 the powers of the Commission, and shall be filled in the  
15 same manner as the original appointment.

16 (g) INITIAL MEETING.—Not later than 30 days after  
17 the date on which all members of the Commission have  
18 been appointed, the Commission shall hold its first meet-  
19 ing.

20 (h) CHAIRPERSON AND VICE CHAIRPERSON.—The  
21 members of the Commission shall elect a chairperson and  
22 vice chairperson from among the members of the Commis-  
23 sion.

24 (i) ADDITIONAL MEETINGS.—The Commission shall  
25 meet at the call of the chairperson.

1 (j) QUORUM.—A majority of the members of the  
2 Commission shall constitute a quorum for the transaction  
3 of business.

4 (k) VOTING.—A vote of a member of the Commission  
5 with respect to the duties of the Commission shall have  
6 the same weight as the vote of any other member of the  
7 Commission.

8 **SEC. 3. DUTIES OF THE COMMISSION.**

9 (a) IN GENERAL.—The Commission shall examine  
10 the nature and consequences of the Federal electoral proc-  
11 ess and make recommendations to ensure the integrity of,  
12 and public confidence in, Federal elections.

13 (b) SPECIFIC ISSUES TO BE ADDRESSED.—The  
14 Commission shall examine and report to the President, the  
15 Congress, and the Federal Election Commission on, at a  
16 minimum, the following:

17 (1) The historic rationale for the electoral col-  
18 lege, its impact on Presidential elections, and the ad-  
19 visability of its abolition or other options for reform,  
20 including the possibility of proportional allocation of  
21 electors within States.

22 (2) Voter registration issues, including same-  
23 day registration, universal registration, the impact of  
24 motor voter registration, and the accuracy of voter  
25 registration rolls.

1           (3) Ballot access issues, including the role of  
2           mail-in balloting in Federal elections, and the dis-  
3           tinction between mail-in and absentee balloting, and  
4           the uniformity or lack thereof of the deadlines for  
5           the receipt of ballots.

6           (4) The feasibility and advisability of voting  
7           through the Internet.

8           (5) The impact of polling place closing times,  
9           the number and accessibility of polling places, and  
10          training of poll workers.

11          (6) The impact of the physical ballot design, in-  
12          cluding the technology used to cast and count votes  
13          and the uniformity of such technology, consideration  
14          of a uniform design standard, and the impact of the  
15          language used on ballots, simplicity of language, and  
16          the use of foreign language ballots.

17          (7) The adequacy of options available to voters  
18          and candidates to seek redress for electoral irreg-  
19          ularities.

20          (8) The precedent for holding elections on a  
21          Tuesday in November and the feasibility and advis-  
22          ability of changing to multiple day elections, week-  
23          end elections, or expanding early voting options,  
24          with a particular focus on the impact on voter turn-  
25          out.

1           (9) The history of Presidential debates, the role  
2           of the Federal Election Commission on Presidential  
3           debates, including the criteria established for partici-  
4           pation in such debates, and options for reform.

5           (10) The impact of winner-take-all voting, and  
6           the feasibility and advisability of election reforms  
7           such as instant runoff voting, proportional represen-  
8           tation, candidates appearing on multiple ballot lines,  
9           and cumulative voting, with a particular focus on the  
10          impact on voter turnout and expanding political dia-  
11          log.

12          (11) The feasibility and advisability of limiting  
13          campaigns, including advertising and fundraising, to  
14          a set period of time.

15          (12) The feasibility and advisability of uniform  
16          national poll closing times in Presidential elections.

17          (13) The Presidential primary process and op-  
18          tions for reform.

19 **SEC. 4. FINAL REPORT.**

20          (a) IN GENERAL.—Not later than 12 months after  
21          the date of the initial meeting of the Commission, the  
22          Commission shall submit to the President and the Con-  
23          gress a final report including—

24                (1) the findings and conclusions of the Commis-  
25                sion; and

1           (2) recommendations for addressing the prob-  
2       lems identified as part of the Commission's analysis.

3       (b) SEPARATE VIEWS.—Any member of the Commis-  
4       sion may submit additional findings and recommendations  
5       as part of the final report.

6       **SEC. 5. POWERS.**

7       (a) HEARINGS.—The Commission may hold such  
8       hearings, sit and act at such times places, take such testi-  
9       mony, and receive such evidence as the Commission may  
10      find advisable to fulfill the requirements of this Act. The  
11      Commission shall hold at least one hearing in the District  
12      of Columbia, and at least four hearings in other regions  
13      of the United States.

14      (b) INFORMATION FROM FEDERAL AGENCIES.—The  
15      Commission may secure directly from any Federal depart-  
16      ment or agency such information as the Commission con-  
17      siders necessary to carry out the provisions of this Act.  
18      Upon request of the chairperson of the Commission, the  
19      head of such department or agency shall furnish such in-  
20      formation to the Commission.

21      (c) POSTAL SERVICES.—The Commission may use  
22      the United States mails in the same manner and under  
23      the same conditions as other departments and agencies of  
24      the Federal Government.

1 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

2 (a) COMPENSATION.—Each member of the Commis-  
3 sion shall be compensated at a rate equal to the daily  
4 equivalent of the annual rate of basic pay prescribed for  
5 level IV of the Executive Schedule under section 5315 of  
6 title 5, United States Code, for each day (including travel  
7 time) during which such member is engaged in the per-  
8 formance of the duties of the Commission.

9 (b) STAFF.—(1) The chairperson of the Commission  
10 may appoint staff of the Commission, request the detail  
11 of Federal employees, and accept temporary and intermit-  
12 tent services in accordance with section 3161 of title 5,  
13 United States Code.

14 (2) The employment of an executive director of the  
15 Commission shall be subject to the approval of the Com-  
16 mission.

17 (3) The rate of pay for the executive director and  
18 other personnel of the Commission may not exceed the  
19 rate payable for level V of the Executive Schedule under  
20 section 5316 of such title.

21 **SEC. 7. SUPPORT SERVICES.**

22 The Administrator of General Services shall provide  
23 to the Commission on a reimbursable basis such adminis-  
24 trative support services as the Commission may request.



1 **SEC. 8. TERMINATION.**

2       The Commission shall terminate not later than the  
3 date that is 30 days after the date the Commission sub-  
4 mits its final report under section 4.

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6       There are authorized to be appropriated \$2,000,000  
7 for the Commission to carry out this Act.

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